

OFFICE OF PUBLICATION

THE GARDEN ISLAND

CV 04-508 ACK-BMK

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

ACCOUNTS PAYABLE
SOH/HAWAII PUBLIC HOUSING AUTH
1002 N SCHOOL STREET
HONOLULU HI 96817

REFERENCE: 117404
97989

PROPOSED SETTLEMENT
AND ORDER

Diean Kamaucha, being duly sworn, deposes and says, that she is an employee of "The Garden Island," a newspaper published in Lihue, County of Kauai, State of Hawaii; that the NOTICE in the above entitled matter of which the annexed is a true and correct copy, was published 1 time(s) in "The Garden Island" aforesaid and that this affiant is not a party to or in any way interested in the above entitled matter.

Diean Kamaucha

Subscribed and sworn to before me this July day of 2007.

Carmencita P. Centeno
CARMENCITA P. CENTENO
Notary Public, Fifth Judicial Circuit
State of Hawaii

My Commission Expires
Jul 25, 2008

PUBLISHED ON: 07/01/2007

FILED ON: 07/01/07

**IMPORTANT NOTICE TO CLASS MEMBERS IN
"AMONE, ET AL V. AVEIRO, HCDCH, CIV. NO. 04-00
PROPOSED SETTLEMENT AND ORDER"**

Pursuant to Rule 23 (e) of the Federal Rules of Civil Procedure, you of the following:

1. The Complaint in this case was filed on August 18, 2004, asking injunctive relief, and alleging that the "Housing and Comm Corporation", now known as the "Hawaii Public Housing Authority disabled tenants of their rights under various federal laws, failed to increase utility allowances for qualified disabled tenants, and tenants rent in excess of that allowed by law.
2. On March 2, 2005, the Court entered an Order Certifying this acti and defining the class as: 1) disabled persons that currently resi since August 18, 2002, in a public housing project, 2) in which res ity allowances, and 3) whose special needs arising from their disa to consume utilities in excess of the amount provided for in the st ity allowances.
3. On May 31, 2005, the Court entered an order in favor of Plain HCDCH did violate the law and requiring HCDCH to make appro to the utility allowances for those residents whose special needs disability require them to consume utilities in excess of the amo the standard public housing utility allowances.
4. The parties filed a Joint Motion for Preliminary Approval of Sett and asked the Court to set a Final Fairness Hearing to approve s missal of the case. According to the Joint Motion, Plaintiffs have re tory and injunctive relief they requested, the HCDCH has complie Order by undertaking the required corrective measures to provid tenants with the appropriate supplemental utility allowances.
5. The Settlement Agreement provides that HCDCH shall pay Plaint and costs of \$40,158.
6. The Court held a hearing on the Joint Motion for Preliminary App ment of May 21, 2007. At the hearing, the Court ordered the Final to approve the settlement as being fair, reasonable, and adequa 2007.

If you are a class member and object to the settlement of the case, excluded from the settlement of the case, you must submit your wr Class Counsel no later than ten (10) days before the Final Fairness H or before close of business on August 17, 2007 to:

SHELBY ANNE FLOYD, ESQ.
Alston Hunt Floyd & Ingo
American Savings Bank Tower
1001 Bishop Street, 18th Floor
Honolulu, Hawaii 96813

(July 1, 2007)

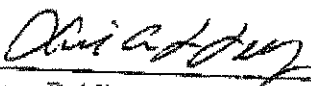
AFFIDAVIT OF PUBLICATION

STATE OF HAWAII, }
County of Maui. } ss.

Terri Yip-Komoda being duly sworn
deposes and says, that she is Advertising Sales of
the Maui Publishing Co., Ltd., publishers of the MAUI NEWS, a
newspaper published in Wailuku, County of Maui, State of Hawaii;
that the ordered publication as to IMPORTANT NOTICE TO CLASS MEMBERS IN "AMONE,
ET AL V. AVEIRO, HCDCH; CIV. NO. 04-00508
of which the annexed is a true and corrected printed notice, was
published 1 times in the MAUI NEWS, aforesaid, commencing
on the 1st day of July, 2007, and ending
on the 1st day of July, 2007, (both days
inclusive), to-wit: July 1, 2007

and that affiant is not a party to or in any way interested in the above
entitled matter.

Subscribed and sworn to before me this
2nd day of July A.D. 2007.


Notary Public, Second Judicial
Circuit, State of Hawaii.
LEILA ANN L. LEONG
My Commission Expires: 11-23-07

IMPORTANT NOTICE TO CLASS "AMONE, ET AL V. AVEIRO, HCDCH" OF PROPOSED SETTLEMENT

Pursuant to Rule 23 (e) of the Federal Rules of Civil Procedure, you are notified of the following:

1. The Complaint in this case was filed to obtain declaratory and injunctive relief, and a Community Development Corporation, no Housing Authority, failed to notify disabled tenants of their utility allowances for qualified disabled tenants, rent in excess of that allowed by law.
2. On March 2, 2005, the Court entered an Order class action and defining the class as: 1) d reside, or have resided since August 18, 2002 2) in which residents receive utility allowances arising from their disability require them to the amount provided for in the standard public housing program.
3. On May 31, 2005, the Court entered an order that HCDCH did violate the law and for appropriate adjustments to the utility allowance special needs arising from their disability require in excess of the amount provided for in the standard allowances.
4. The parties filed a Joint Motion for Preliminary Injunction, and asked the Court to set a Final Settlement and dismissal of the case. Acco Plaintiffs have received the declaratory and injunctive relief, the HCDCH has complied with the Court's required corrective measures to provide eligible appropriate supplemental utility allowances.
5. The Settlement Agreement provides that HCDCH attorneys fees and costs of \$40,158.
6. The Court held a hearing on the Joint Motion for Preliminary Injunction on May 21, 2007. At the hearing, the Court held a Fairness Hearing, to approve the settlement as adequate, for August 27, 2007.

If you are a class member and object to the settlement of this case, you must submit a written objection to the Class Counsel no later than ten (10) days before the Final Hearing on or before close of business on August 17, 2007 to:

SHELBY ANNE FLOYD, ESQ.
Alston Hunt Floyd & Ingo
American Savings Bank Tower
1001 Bishop Street, 18th Floor
Honolulu, Hawaii 96813

(MN: July 1, 2007)

AFFIDAVIT OF PUBLICATION

STATE OF HAWAII, }
County of Maui. } ss.

Terri Yip-Komoda being duly sworn
ses and says, that she is Advertising Sales of
Maui Publishing Co., Ltd., publishers of the MAUI NEWS, a
spaper published in Wailuku, County of Maui, State of Hawaii;
the ordered publication as to _____

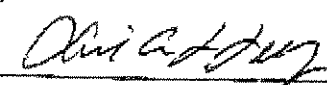
**IMPORTANT NOTICE TO CLASS MEMBERS IN "AMONE,
ET AL V. AVEIRO, HCDCH", CIV. NO. 04-00508**

which the annexed is a true and corrected printed notice, was
ished 1 times in the MAUI NEWS, aforesaid, commencing
re 1st day of July, 2007, and ending
re 1st day of July, 2007, (both days
ative), to-wit: _____

July 1, 2007

that affiant is not a party to or in any way interested in the above
led matter.

scribed and sworn to before me this
1 day of July A.D. 2007.


Notary Public, Second Judicial
Circuit, State of Hawaii.

LEILA ANN L. LEONG
My Commission Expires: 11-22-07

**IMPORTANT NOTICE TO CLASS MEMBERS IN
"AMONE, ET AL V. AVEIRO, HCDCH" CIVIL NO. 04-00508
OF PROPOSED SETTLEMENT AND ORDER**

Pursuant to Rule 23 (c) of the Federal Rules of Civil Procedure, you are hereby notified of the following:

1. The Complaint in this case was filed on August 15, 2004, asking declaratory and injunctive relief, and alleging that the "Housing & Community Development Corporation", now known as the "Hawaii Public Housing Authority", failed to notify disabled tenants of their rights under various federal laws, failed to adopt procedure to increase utility allowances for qualified disabled tenants, and charged qualified tenants in excess of that allowed by law.
2. On March 2, 2005, the Court entered an Order Certifying this action as a class action and defining the class as: 1) disabled persons that currently reside, or have resided since August 18, 2002, in a public housing project; 2) in which residents receive utility allowances, and 3) whose special needs arising from their disability require them to consume utilities in excess of the amount provided for in the standard public utility allowances.
3. On May 31, 2005, the Court entered an order in favor of Plaintiffs, holding that HCDCH did violate the law and requiring HCDCH to make appropriate adjustments to the utility allowances for those residents whose special needs arising from their disability require them to consume utilities in excess of the amount provided for in the standard public housing utility allowances.
4. The parties filed a Joint Motion for Preliminary Approval of Settlement of the case, and asked the Court to set a Final Fairness Hearing to approve settlement and dismissal of the case. According to the Joint Motion, Plaintiffs have received the declaratory and injunctive relief they requested. The HCDCH has complied with the Court's Order by undertaking the required corrective measures to provide eligible disabled tenants with the appropriate supplemental utility allowances.
5. The Settlement Agreement provides that HCDCH shall pay Plaintiffs' attorneys fees and costs of \$40,158.
6. The Court held a hearing on the Joint Motion for Preliminary Approval of the settlement of May 21, 2007. At the hearing, the Court ordered the Final Fairness Hearing, to approve the settlement as being fair, reasonable, and adequate, for August 27, 2007.

If you are a class member and object to the settlement of the case, or you wish to be excluded from the settlement of the case, you must submit your written objections to Class Counsel no later than ten (10) days before the Final Fairness Hearing, that is, on or before close of business on August 17, 2007 to:

SHELBY ANNE FLOYD, ESQ.
Arlene Hunt Floyd & Ingo
American Savings Bank Tower
1001 Bishop Street, 18th Floor
Honolulu, Hawaii 96813

(MN: July 1, 2007)

Equal Opportunity Employer

(No. 8594 - West Hawaii Today: June 26, 28, July 1, 3, 5, 8, 10, 12, 15, 17, 19, 22, 24, 26, 29, 31, August 2, 5, 7, 9, 12, 14, 16, 8, 19, 2007)

State/County Notices

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State/County Notices

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State/County Notices

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**IMPORTANT NOTICE TO CLASS MEMBERS IN
"AMONE, ET AL V. AVEIRO, HCDCH, CIV. NO. 04-00508 OF
PROPOSED SETTLEMENT AND ORDER**

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1. The Complaint in this case was filed on August 18, 2004, asking for declaratory and injunctive relief, and alleging that the "Housing and Community Development Corporation", now known as the "Hawaii Public Housing Authority", failed to notify disabled tenants of their rights under various federal laws, failed to adopt procedure to increase utility allowances for qualified disabled tenants, and charged qualified tenants rent in excess of that allowed by law.
2. On March 2, 2005, the Court entered an Order Certifying this action as a class action and defining the class as: 1) disabled persons that currently reside, or have resided since August 18, 2002, in a public housing project, 2) in which residents receive utility allowances, and 3) whose special needs arising from their disability require them to consume utilities in excess of the amount provided for in the standard public utility allowances.
3. On May 31, 2005, the Court entered an order in favor of Plaintiffs, holding that HCDCH did violate the law and requiring HCDCH to make appropriate adjustments to the utility allowances for those residents whose special needs arising from their disability require them to consume utilities in excess of the amount provided for in the standard public housing utility allowances.
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SHELBY ANNE FLOYD, ESQ.
Alston Hunt Floyd & Ingo
American Savings Bank Tower
1001 Bishop Street, 18th Floor
Honolulu, Hawaii 96813

(No. 8600 - West Hawaii Today: July 7, 2007)